

[illegible]

2. Complainant has not filed a petition for fees and costs as of the date of this order and has not filed a motion seeking an extension of time to file same.

### **Conclusions of Law**

A prevailing complainant's failure to file a petition for fees and costs when directed to do so may constitute a waiver of said claims.

### **Discussion**

Once there has been a finding that Respondent violated the Human Rights Act and damages have been determined, the focus of the remaining inquiry concerns the amount of fees and costs that may be awarded to Complainant under the act. (See, 775 ILCS 5/8A-104(G).) In the March 29, 2001 Recommended Liability Determination, Complainant was directed to file a petition for fees and costs within 21 days of the date of the Recommended Liability Determination. The Order expressly provided that failure to file such a petition would be taken as a waiver of Complainant's claim. Here, I note that Complainant has not filed a petition, that the deadline for filing a petition has passed, and that Complainant has not filed a motion seeking an extension of time to file same. Moreover, there is no explanation in this record as to why Complainant failed to comply with the deadline set forth in the March 29, 2001 Recommended Liability Determination. Thus, under these circumstances, I find that Complainant has waived any claim to either fees or costs, and that Complainant's remedies should be limited to those contained in the Recommended Liability Determination.

### **Recommendation**

For all of the above reasons, I recommend that Complainant receive only the relief set forth in the Recommended Liability Determination as her remedy under the Human Rights Act.

HUMAN RIGHTS COMMISSION

BY: \_\_\_\_\_  
MICHAEL R. ROBINSON  
Administrative Law Judge  
Administrative Law Section

ENTERED THE 4<sup>th</sup> DAY OF MAY, 2001

